

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

LULA WILLIAMS, et al.,

Plaintiffs,

v.

Civil Action No. 3:17-cv-461

BIG PICTURE LOANS, LLC,
et al.,

Defendants.

ORDER

Having considered DEFENDANT MARTORELLO'S MOTION FOR LEAVE TO FILE A SUR-REPLY IN OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL INFORMATION WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE (ECF No. 453) and the accompanying memorandum, it is hereby ORDERED that DEFENDANT MARTORELLO'S MOTION FOR LEAVE TO FILE A SUR-REPLY IN OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL INFORMATION WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE (ECF No. 453) is denied because Martorello simply seeks to reopen and expand his briefing on issues that previously have been briefed and a sur-reply is therefore inappropriate; and because none of the issues he seeks to address in the putative sur-reply brief are new and they should have been addressed in his opposition brief; and because the plaintiffs will be prejudiced because they will not have the opportunity to address the entirely recast additional briefing.

Martorello should have put these arguments in his original brief or asked for permission to have a lengthier brief. He did neither and, therefore, his motion is denied.

It is ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process. It is so ORDERED.

It is so ORDERED.

/s/

REP

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: April 5, 2019